

HOME STUDY GUIDELINES

GENERAL

I. HOME STUDY PREPARER

Any party licensed or otherwise authorized under the law of the State of the orphan's proposed residence to conduct the research and preparation for a home study, including the required personal interview(s). This term includes a public agency with authority under that State's law in adoption matters, public or private adoption agencies licensed or otherwise authorized by the laws of that state to place children for adoption, and organizations or individuals licensed or otherwise authorized to conduct the research and preparation for a home study, including the required personal interview(s), under the laws of the state of the orphan's proposed residence.

In the case of an orphan whose adoption has been finalized abroad and whose adoptive parents reside abroad, the home study preparer includes any party licensed or otherwise authorized to conduct home studies under the law of any state of the United States, or any party licensed or otherwise authorized by the foreign country's adoption authorities to conduct home studies under the laws of the foreign country.

II. VALIDITY

A. THE HOME STUDY MUST BE SUBMITTED WITHIN ONE YEAR OF THE FILING DATE OF THE ADVANCED PROCESSING APPLICATION.

B. THE HOME STUDY, OR MOST RECENT UPDATE TO THE HOME STUDY, MUST NOT BE MORE THAN SIX MONTHS OLD AT THE TIME THE HOME STUDY IS SUBMITTED TO THE SERVICE.

- If an update is submitted, a full copy of the original home study must accompany the update.
- Once a home study is submitted, it will not have to be updated unless there is a significant change in, including but not limited to residence, marital status, criminal history, financial resources, and/or the addition of one or more children or other dependents to the family prior to the orphan's immigration into the United States.

III. REQUIREMENTS

A. **PERSONAL INTERVIEWS AND HOME VISITS – HOME STUDY PREPARER MUST:**

- Conduct at least one interview in person.
- Conduct at least one home visit with the prospective adoptive couple or the unmarried prospective adoptive parent.

- Conduct a least one interview in person with any adult member of the prospective adoptive parents' household.
- State number of interviews conducted.
- State number of home visits.
- Summarize any other contact with the prospective adoptive parents and any adult member of the prospective adoptive parents' household.

B. ASSESSMENT TO PROPERLY PARENT ORPHAN

Assessment of the Physical, Mental, and Emotional Capabilities of the Prospective Adoptive Parents to Properly Parent the Orphan.

- Must make initial assessment of the physical, mental, and emotional health of the prospective adoptive parents
- Home study must include preparer's assessment of potential problem areas, copy of any outside evaluation(s) and the home study preparer's recommended restrictions, if any, on the characteristics of the child placed in the home
- Referral to an appropriate licensed professional for evaluation if beyond home study preparer's expertise
- Home study preparer must apply all requirements to each adult member of the prospective adoptive parents' household

Financial Assessment

- The financial assessment must include a description of the income, financial resources, debts, and expenses of the prospective adoptive parents.
- A statement concerning the evidence that was considered to verify the source and amount of income and financial resources.
- Income designated for the support of children in the care and custody of prospective adoptive parents or any income designated for the support of another member of the household must not be counted towards the financial resources available for the support of prospective orphan.
- INS reserves the right to request detailed financial statement or supporting financial documents.

C. CRIMINAL HISTORY AND/OR HISTORY OF ABUSE AND/OR VIOLENCE

Screening For Abuse and Violence

- Home study preparer shall make a check of any available child abuse registry for each of the prospective adoptive parents and for each adult member of the prospective adoptive parents household.
- If the State will not release the information to either the home study preparer or the prospective adoptive parents or adult household member, this must be noted in the home study.

Inquiring About Abuse and Violence or Criminal Record – Home Study Preparer:

- Must ask each prospective adoptive parent whether he or she has a history of substance abuse, sexual or child abuse, or domestic violence, even if it did not result in an arrest or conviction. The response to each question must be included in the home study.
- Must ask any additional adult members of the household whether he or she has a history of substance abuse, sexual or child abuse, or domestic violence, even if it did not result in an arrest or conviction. The response to each question must be included in the home study.
- Disclosure by each adult member of household of any criminal arrest and/or conviction.

Information Concerning Criminal History of History Of Abuse and/or Violence

- If there is a disclosure of history of abuse and/or violence or criminal history, the home study must contain an evaluation of suitability of the home in light of history. Evaluation must include:
 - ** Information concerning all arrests or convictions, or history of substance abuse, sexual or child abuse, and/or domestic violence and the date of each occurrence.
 - ** A certified copy of the documentation showing final disposition of any incident, which resulted in arrest, indictment, conviction, and/or any judicial judgement or administrative action.
 - ** A signed statement from the prospective adoptive parent(s) giving details including mitigating circumstances, if any, about each incident.
 - ** All of the above must be applied to each adult member of the prospective adoptive parents' household.

Evidence of Rehabilitation

- If a prospective adoptive parent has a criminal history or history of substance abuse, sexual or child abuse, and/or domestic violence and the home study preparer makes a favorable decision, the home study must include:
 - ** Discussion of rehabilitation which demonstrates that the prospective adoptive parent is and will be able to provide proper care for the orphan.
 - ** Evaluation of the seriousness of the arrest(s), conviction(s), or history of abuse.
 - ** Number of such incidents.
 - ** The length of time since the last incident.
 - ** Any counseling or rehabilitation programs which have been successfully completed.
 - ** Evidence of rehabilitation by an appropriate licensed professional, if any.
 - ** All facts and circumstances which were considered.
 - ** Home study preparer's reasons for favorable home study.
 - ** Home study preparer must apply all of these requirements to any adult member of the household.

Failure to Disclose or Cooperate

- Failure of adoptive parents or any adult member of the household to disclose arrest, conviction or history of substance abuse, sexual abuse or child abuse, and/or domestic violence by prospective adoptive parents to the home study preparer and to INS **MAY** result in the denial of the advanced processing application and orphan petition.

D. PREVIOUS REJECTION FOR ADOPTION OR PRIOR UNFAVORABLE HOME STUDY

- Prospective adoptive parents' response to whether either has been rejected or received an unfavorable home study.
 - ** If rejected or unfavorable, the reason for such findings.
 - ** A copy of each previous rejection and/or unfavorable home study must accompany favorable home study.
 - ** Requirements must be applied to any adult member of household.

E. LIVING ACCOMMODATIONS – WHAT THE HOME STUDY MUST INCLUDE:

- A detailed description of the current living accommodations and if moving, the intended accommodations, if known.
- If prospective adoptive parents reside abroad, a description of living accommodations where the child will reside in the United States, if known.
- An assessment of the suitability of accommodations.
- Determination whether space meets applicable state requirements, if any.

F. HANDICAPPED OR SPECIAL NEEDS ORPHAN

- Discussion of prospective adoptive parents' preparation, willingness, and ability to provide proper care for such an orphan.

G. SUMMARY OF THE COUNSELING GIVEN AND PLANS FOR POST-PLACEMENT COUNSELING. COUNSELING MUST INCLUDE:

- Discussion of the processing expenses, difficulties and delays associated with international adoptions.
- Any plans for post placement counseling.

H. SPECIFIC APPROVAL OF THE PROSPECTIVE ADOPTIVE PARENTS FOR ADOPTION. HOME STUDY MUST INCLUDE:

- Home study preparer's specific approval.
- Discussion of reasons for approval.
- Number of orphans that may be adopted.
- Whether there are any specific restrictions such as, nationality, age or gender of orphan.
- Whether approved for a handicapped or special needs adoption.

I. HOME STUDY PREPARER'S CERTIFICATION AND STATEMENT OF AUTHORITY TO CONDUCT HOME STUDIES.

- If the prospective adoptive parents reside in the U. S., the home study preparer must be licensed or otherwise authorized to conduct home studies in the State of the orphan's proposed residence.
- In the case of an orphan whose adoption was finalized abroad, and whose adoptive parents reside abroad:
 - ** The home study preparer must certify he/she is licensed or otherwise authorized to conduct home studies under the law of ANY State of the U. S. or authorized by the adoption authorities of the foreign country to conduct home studies under the laws of the foreign country.
 - ** The statement must cite the State or country under whose authority the home study preparer is licensed or authorized, the specific law or regulation authorizing the preparer, and expiration date, if any.

J. REVIEW OF HOME STUDY

- If prospective adoptive parents reside in a State which requires the State to review the home study, such review must occur and be documented before the home study is submitted to the Service.
- If the prospective adoptive parents reside abroad, an appropriate public or private adoption agency licensed or otherwise authorized by any State of the U. S. to place children for adoption must review and favorably recommend the home study before it is submitted to the Service.

K. HOME STUDY UPDATE

- If a home study is more than six months old at time of submission to the Service, it must be accompanied by an update.

L. AMENDMENTS – IF AT ANY TIME THERE HAVE BEEN ANY SIGNIFICANT CHANGES INCLUDING BUT NOT LIMITED TO:

- Residence of prospective adoptive parents.
- Marital status.
- Criminal history/abuse history
- Financial resources
- Addition of one or more children or other dependents.